

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE ELEVENTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR

CRIMINAL PETITION NO: 7065 OF 2024



Between:

Pangi Subu @ Subbu @ Subba Rao, S/o Nageswara Rao, aged about 39 years, R/o Neredupalli Village, Rolagadda Panchayat, Chitrakonda, Mallikarjuna District, Odisha State.

...Petitioner/Accused No.3

AND

The State of Andhra Pradesh, Through Station House Officer, Koyyuru Police Station, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravathi, Guntur District

...Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, 1973(old), under Section 480 & 483 of BNSS, 2023 is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to release the petitioner on Bail in connection with Crime No.84 of 2024 of Koyyuru Police Station, Alluri Sitharamaraju District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI K.PRIDHVI RAJU, Advocate for the Petitioner and of Public Prosecutor for Respondent, the Court made the following

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(Special Original Jurisdiction)

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The Court made the following: ORDER:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., (New Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNNS')) is filed by petitioner/A3, seeking regular bail in Crime No.84 of 2024 of Koyyuru Police Station, registered for the offences punishable under Section 20 (b)(ii)(C), 25 r/w 8(c) of NDPS Act, 1985.

2. Heard Sri K.Pridhvi Raju, learned counsel for petitioner/A3 and Sri A.Sai Rohit, learned Assistant Public Prosecutor for respondent/State.

3. Perused the record.

4. Having heard the learned counsel on both sides and perused the record, it is seen that on 31.07.2024, A1 and A2, along with an Auto Rickshaw bearing No.AP-31-TN-3472 were apprehended, and during the search, the raiding party found 60 kgs of ganja, which was seized. Thereafter, they were remanded to judicial custody. The petitioner is A3, was arrested on 06.08.2024 and remanded to judicial custody. The record reveals that no part of contraband was recovered from the

petitioner. The prosecution's case relies on the confessions of co-accused. Despite the lapse of three months, no additional material has been obtained by the prosecution to establish the complicity of this petitioner, other than the confessions of the co-accused. Furthermore, nothing further has been forthcoming in this regard. Considering the nature of the allegations and the length of detention, this Court is of the opinion that any further continuation of detention does not seem necessary. Hence, this Court finds that petitioner/A3 shall be enlarged on bail.

5. In view of the said circumstances, the Criminal Petition is allowed. Petitioner herein/A3 shall be enlarged on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like sum each to the satisfaction of the learned Metropolitan Sessions Judge-cum-I Additional District & Sessions Judge-cum-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam. Petitioner/A3 shall mark his attendance before the Investigating Officer on 1st and 15th of every month between 10.00 A.M. and 1.00 P.M. till filing of the charge sheet. Petitioner/A3 shall make himself available for investigation by a police officer as and when required, and he shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case.

so as to dissuade them from disclosing such facts to the Court or to any police officer. He shall not indulge in similar acts of crime and shall duly attend the trial of the case. The petitioner shall regularly appear before the competent Court and participate in pre-trial and trial process without fail.

Pending miscellaneous applications, if any, shall stand closed.

AS Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR
ch
SECTION OFFICER

//TRUE COPY//

To,

1. The Metropolitan Sessions Judge-cum- I Additional District & Sessions Judge for Trial of Offences Under NDPS act, Visakhapatnam.
2. The Superintendent, Central Prison, Visakhapatnam.
3. The Station House Officer, Koyyuru Police Station, Alluri Sitharamaraju District.
4. One CC to SRI K.PRIDHVI RAJU, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P., Amaravati.[OUT]
6. One spare copy.

PSD

HIGH COURT

DR.VRKS,J

DATED:11/11/2024

BAIL ORDER

CRLP.No.7065 of 2024

ALLOWED

